

REMARKS:

- 1) Referring to section 2 on page 2 of the Office Action all claims 1 to 21 have been amended, however withdrawn claims 3 and 8 to 19 have only been amended in formal respects. All claim amendments do not contain any new matter. The clarification at the end of amended claim 1 regarding the partial contacting or encircling between the second contours of the spacers and the first contour of the respective guard hose is fully supported by original claim 5 which refers to: "...partly encircles...". This feature of the invention has been deleted from amended claim 5 and included in amended claim 1.
- 2) The priority acknowledgment in section 3 of the Office Action is appreciated. Please also let us know that the originally filed drawings are acceptable. Thank you.
- 3) Regarding section 4 bridging pages 2 and 3 of the Office Action most of the formal amendments suggested by the Examiner have been made in the specification and claims. However, "land L" has not been changed to "length L" because "L" is a connecting section between the legs SF1 and SF2 of the spacer 5B shown in Fig. 8. This fact has been clarified in the specification page 11, lines 2 and 3 and in claim 13. This clarification does not contain any new matter.
- 4) The clarifications in the summary of the invention on page 4 of the specification and the added paragraph on page 13 of the

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specification are fully supported by original claim 5 and Figs. 1, 2, 3, 6 and 9 to 12. Thus, no new matter is involved.

- 5) Regarding section 5 of the Office Action, the rejection under 35 USC 112, second paragraph of claims 1, 2, 4 to 7, 20 and 21 is respectfully traversed. All grounds for this rejection have been removed. In claim 1 the reference to the aircraft is no longer set forth as an example but as a positive element of claim 1 as amended. Claims 6 and 7 as amended do not refer to any length but to the shape of the respective surfaces. Withdrawal of all rejections under 35 USC 112, second paragraph is respectfully requested.
- 6) The rejection of claims 1, 2 and 20, 21 as being anticipated by US patent 4,601,447 (McFarland) is respectfully traversed. Anticipation requires that a reference shows all claimed elements. McFarland does not show an aircraft. Accordingly, McFarland does not anticipate claims 1, 2 and 20, 21 for that reason alone. Weight and space considerations are paramount in aircraft construction. Therefore, the present spacers do not fully encircle the guard hoses as is shown for the clamps 22, 23, 24 of McFarland. More specifically, a pair of McFarland's clamps (22, 23) encircles the respective pipe (14) for 360°. Such fully encircling clamps do not anticipate spacer contours that contact or encircle only partly respective larger hose contours.
- 7) Claim 1 as amended makes it clear that the second contours of the spaces merely contact partly the respective first contours of the

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guard hoses as originally disclosed in claim 5. McFarland needs fully encircling clamps to take up the forces caused by the backfilling after the pipes have been installed in a ditch. Such a structure cannot anticipate spacers as claimed.

- 8) With regard to claims 20, 21 the tongue and groove connection 26, 28 of McFarland secures two 180° clamp sections (22, 23) to each other. The spacers 24 are integral parts of two clamp sections 22, 23 that together form a 360° clamp in the McFarland structure. Therefore, McFarland does not anticipate claims 20 and 21.
- 9) Withdrawal of the rejection of claims 1, 2 and 20, 21 under 35 USC 102(b) in view of McFarland is respectfully requested.
- 10) The rejection of claims 1, 2, 4 to 7 and 20, 21 under 35 USC 102(b) in view of US Patent 1,098,077 (Annison) is respectfully traversed. Annison does not disclose any feature that could be reasonably compared with the matching contours between the spacers and guard hoses of a guard hose arrangement for an aircraft wiring installation. Annison does not show guard hoses for the installation of insulated electrical conductors in an aircraft. The C-channels of the locking bars of Annison completely encircle the correspondingly shaped edges of wall sections of a dock retaining wall. Please see Fig. 4 of Annison. Such dock wall cannot anticipate the present spacers as now more clearly claimed. Withdrawal of the rejection of claims 1, 2, 4

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to 7 and 20, 21 as being anticipated by Annison is respectfully requested.

- 11) Although no rejection under 35 USC 103(a) has been made, it should be mentioned here, that a person of ordinary skill in aircraft construction at the time the invention was made, would not seek a solution of her/his problems in connection with light-weight space-saving electrical wiring installations in an aircraft, in a harbor dock construction or underground pipe installations. This is so, because neither McFarland nor Annison have to pay attention to any weight nor any space considerations while such considerations are predominant in aircraft construction.
- 12) Claim 1 as amended is still generic to all species as defined in the present claims. Claim 1 as amended is also allowable over the above references. Therefore, it is respectfully requested to rejoin, consider and also allow all dependent claims 3 and 8 to 19.

**[RESPONSE CONTINUES ON NEXT PAGE]**

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- 13) Favorable reconsideration and allowance of the application, including all present claims 1 to 21, are respectfully requested.

Respectfully submitted,

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Enclosures:

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